

rowers and other bailees," was taken up out of its regular order, read second time and ordered engrossed.

On motion of Senator Kleberg,

Senate bill No. 61, "An act to protect stockraisers, providing for the destruction of wolves," etc., was taken up out of its regular order and read second time.

Senator Kleberg offered the following amendment:

Section 1. Be it enacted by the Legislature of the State of Texas, That hereafter when any person shall kill in this State any wolf, either "cayote" or "lobo," panther, Mexican lion, tiger, leopard or wild cat, he shall be paid by the county in which he kills such animal the sum of fifty cents for each cayote wolf or wild cat, and two dollars for each lobo wolf, panther, Mexican lion, tiger or leopard so killed.

Adopted.

Senator Getzendaner offered the following amendment:

Add, provided the counties of Ellis, Collins, Denton, Grayson, Cooke, Hunt, Hopkins, Camp, Franklin, Delta, are exempted from the provisions of this law.

Lost.

Senator Davis offered to amend by adding sheep-killing dogs.

Lost.

Senator Kleberg offered the following:

Amend by inserting after the word "dollars," in line 9, section 2, "or fifty cents in case the animal killed be a cayote wolf."

Adopted.

Senator Stinson offered to amend by adding coons and jack rabbits.

Lost, and

The bill was ordered engrossed by the following vote:

YEAS—17.

Bell,	Houston of Wheeler,	Pope,
Calhoun,	Kilgore,	Randolph,
Farrar,	Kleberg,	Tarrell,
Glasscock,	Knittel,	Traylor,
Harrison,	Perry,	Woods.
Houston of Bexar,	Pfeuffer,	

NAYS—9.

Camp,	Fowler,	Johnson,
Davis,	Garrison,	Peacock,
Evans,	Getzendaner,	Stinson.

ABSENT, NOT VOTING.

Jerdone,

Senate bill No. 14, "An act to amend article 635 of the Code of Criminal Procedure," was laid before the Senate on its third reading.

Senator Pope moved a call of the Senate.

The motion was seconded by the requisite number.

Senator Woods moved to suspend the call.

Motion declared out of order on point raised by Senator Pope.

The roll call was completed, and

Senator Jerdone was found absent without excuse.

Senator Woods moved to suspend the call.

The Senate refused to suspend the call, and

The pending business went to the table.

On motion of Senator Harrison,

Senate bill No. 59, "An act to provide for the registration of writs of attachments which have been levied upon land in the office of county clerk of the county where such land is situated," was taken up

out of its regular order and read second time with substitute.

The substitute was adopted.

On motion of Senator Bell,

Further action on the bill was postponed and the bill made a special order for to-morrow after the first special orders of the morning call.

The resolution of Senator Fowler, to-wit:

Be it resolved by the Senate and House of Representatives, That when a bill containing an "emergency clause" shall pass by less than a two-thirds vote, it shall be the duty of the Committee on Enrolled Bills to omit such clause from the enrolled copy of the same; and when the constitutional rule was not in fact suspended, said committee shall also omit the "public necessity clause," if any, in such bill,

was taken up and adopted.

On motion of Senator Pope,

The Senate adjourned till 10 o'clock to-morrow morning.

TWENTIETH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, February 4, 1885. }

The Senate met pursuant to adjournment.

Lieutenant-Governor Gibbs in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Perry,

The reading of the journal of yesterday was dispensed with.

PETITIONS AND MEMORIALS.

By Senator Pfeuffer:

A petition from a committee of colored people, asking legislation on the jury law, county convict farms, houses of correction, colored branch university, and other matters.

Referred to Committee on State Affairs.

By Senator Harrison:

A petition from citizens of East Waco, asking the passage of some act to enforce article 4238 of the Revised Civil Statutes.

Referred to Committee on Internal Improvements.

REPORTS OF STANDING COMMITTEES.

By Senator Houston of Bexar:

COMMITTEE ROOM,
AUSTIN, February 3, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred House bill No. 10, entitled "An act to amend articles 1204 and 1389 in title 29 of the Revised Civil Statutes of the State of Texas," have carefully examined the same, and a majority of the committee instruct me to report the same back to the Senate with the recommendation that it do not pass.

All of which is respectfully submitted.

HOUSTON of Bexar, Chairman.

COMMITTEE ROOM,
AUSTIN, February 3, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred the petition of the city council of Brenham, asking the exemption of all volunteer firemen in active service from road duty, have carefully examined the same, and instruct me to report the same back to the Senate with the recommendation

that it lie on the table, the committee having heretofore reported upon a bill relating to the same subject.
All of which is respectfully submitted.

HOUSTON of Bexar, Chairman.

COMMITTEE ROOM,
AUSTIN, February 3, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 178, entitled "An act to amend article 3017, chapter 2, title 56 of the Revised Civil Statutes of the State of Texas, relating to the number of jury commissioners," have carefully examined the same, and a majority of the committee instruct me to report the same back to the Senate with the recommendation that it do not pass.

All of which is respectfully submitted.

HOUSTON of Bexar, Chairman.

COMMITTEE ROOM,
AUSTIN, February 3, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 170, entitled "An act to provide for the appointment of temporary guardians of the persons and estates of minors, and to prescribe their powers, liabilities and duties," have carefully examined the same, and a majority of the committee instruct me to report the same back to the Senate with the recommendation that it lie on the table, because the subject matter therein is embraced in another bill heretofore reported upon.

All of which is respectfully submitted.

HOUSTON of Bexar, Chairman.

COMMITTEE ROOM,
AUSTIN, February 3, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 169, entitled "An act to amend article 575, chapter 3, title 20 of the Revised Statutes of the State of Texas," have carefully examined the same and a majority of the committee instruct me to report the same back to the Senate with the recommendation that it do not pass.

All of which is respectfully submitted.

HOUSTON of Bexar, Chairman.

COMMITTEE ROOM,
AUSTIN, February 3, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 144, entitled "An act to amend article 4036, chapter 2, title 81 of the Revised Statutes," have carefully examined the same, and instruct me to report the same back to the Senate with the recommendation that it lie on the table, because the Senate has taken action upon another bill embracing the same object.

All of which is respectfully submitted.

HOUSTON of Bexar, Chairman.

COMMITTEE ROOM,
AUSTIN, February 3, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 106, entitled "An act to amend article 2861, title chapter 4 of the Revised Statutes of Texas," have carefully examined the same, and a majority of the committee instruct me to report the same back with the recommendation that it do not pass, because they do not believe the misfortune of a person for which he or she is in no wise responsible should be cause for divorce.

All of which is respectfully submitted.

HOUSTON of Bexar, Chairman.

COMMITTEE ROOM,
AUSTIN, February 3, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 107, entitled "An act to create the office of public weigher, and to prescribe the duties of such officer, and to regulate public weighing, and to repeal all former laws on the subject," have carefully examined the same, and a majority of the committee instruct me to report the same back to the Senate with the recommendation that it do not pass.

Respectfully submitted.

HOUSTON of Bexar, Chairman.

COMMITTEE ROOM,
AUSTIN, February 3, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 66, entitled "An act to amend articles 2170, 2171, 2172, 2173, 2176, 2178 and 2179 of the Revised Civil Statutes of Texas," have carefully examined the same, and a majority of the committee instruct me to report the same back to the Senate with the recommendation that it do not pass.

All of which is respectfully submitted.

HOUSTON of Bexar, Chairman.

COMMITTEE ROOM,
AUSTIN, February 3, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 9, entitled "An act to amend an act entitled 'an act regulating the removal of the disabilities of minors,' approved March 2, 1881," have carefully examined the same, and a majority of the committee instruct me to report the same back to the Senate with the recommendation that it do not pass.

All of which is respectfully submitted.

HOUSTON of Bexar, Chairman.

By Senator Johnson:

COMMITTEE ROOM,
AUSTIN, February 3, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Agricultural Affairs, to whom was referred Senate bill No. 169, have carefully examined the same, said bill being entitled "An act to provide for the separation of partition or adjoining fences." Said committee instruct me to report the same back with the recommendation that it do pass.

All of which is respectfully submitted.

JOHNSON, Chairman.

By Senator Randolph:

COMMITTEE ROOM,
AUSTIN, February 3, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on State Affairs, to whom was referred joint resolution No. 3, entitled "Joint resolution providing for the appointment of a committee to remove the remains of Col. F. W. Johnson from Aguas Calientes, Mexico, and place the same in the State cemetery, in the city of Austin, Texas, and to make an appropriation therefor," have carefully examined the same, and instruct me to report the same back with the recommendation that it do pass, with the following amendment, to-wit: Insert in first resolution after the word proceed, "as soon as practicable."

All of which is respectfully submitted.

RANDOLPH, Chairman.

COMMITTEE ROOM,
AUSTIN, February 3, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on State Affairs, to whom was referred Senate bill No. 167, entitled "An act to provide for the care and preservation of the Alamo," have carefully examined the same, and instruct me to report the same back with the recommendation that it do pass.

All of which is respectfully submitted.

RANDOLPH, Chairman.

COMMITTEE ROOM,
AUSTIN, February 3, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on State Affairs, to whom was referred Senate bill No. 147, entitled "An act to prohibit the use and sale of dynamite and nitro-glycerine within this State," have carefully examined the same, and instruct me to report the same back with the recommendation that it do pass.

All of which is respectfully submitted.

RANDOLPH, Chairman.

By Senator Bell:

COMMITTEE ROOM,
AUSTIN, February 4, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 141, being "An act to amend articles 29 and 30 of the Code of Criminal Procedure for the State of Texas," and find the same correctly engrossed.

All of which is respectfully submitted.

BELL, Chairman.

COMMITTEE ROOM,
AUSTIN, February 3, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Public Lands, to whom was referred Senate bill No. 7, entitled "An act to provide for the sale of all lands heretofore surveyed and set apart for the benefit of the common school, University, Blind, Deaf and Dumb, Lunatic and Orphan Asylum funds of the State of Texas, and to repeal all laws and parts of laws in conflict herewith," have carefully examined the same, and instruct me to report the same back with the recommendation that it be considered in the committee of the whole by the Senate.

All of which is respectfully submitted.

BELL, for the Committee.

COMMITTEE ROOM,
AUSTIN, February 4, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 63, being "An act to provide for the investment of the permanent public free school funds of the counties," and find the same correctly engrossed.

All of which is respectfully submitted.

BELL, Chairman.

COMMITTEE ROOM,
AUSTIN, February 4, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 136, being "An act for the relief of W. J. Salyer, and to validate donation warrant No. 509, and the survey made by virtue thereof, issued by G. W. Hockley, Secretary of War, on the fourteenth day of August, 1833, for 640 acres of land to John Sharp," and find the same correctly engrossed.

All of which is respectfully submitted.

BELL, Chairman.

COMMITTEE ROOM,
AUSTIN, February 4, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 132, being "An act to define and punish the conversion of personal property by hirers, borrowers and other bailees," and find the same correctly engrossed.

All of which is respectfully submitted.

BELL, Chairman.

COMMITTEE ROOM,
AUSTIN, February 3, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 31, being "An act to regulate reservations in sales of personal property," and find the same correctly engrossed.

All of which is respectfully submitted.

BELL, Chairman.

By Senator Peacock:

COMMITTEE ROOM,
AUSTIN, February 4, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Public Lands, to whom was referred Senate bill No. 64, entitled "An act to provide for the management and control of the lands set aside for the benefit of the University of Texas," have carefully examined the same, and instruct me to report the same back with the accompanying amendment, with the recommendation that it do pass as amended.

All of which is respectfully submitted.

PEACOCK, Chairman.

COMMITTEE AMENDMENT.

Amend section — by inserting after the word "years" the following, to-wit: "Subject to be purchased at any time under such rules and regulations as are or may be provided by law."

By Senator Terrell:

COMMITTEE ROOM,
AUSTIN, February 3, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 172, entitled "An act to provide for the appointment of a court stenographer," have carefully examined the same, and a majority of your committee instruct me to re-

port the same back to the Senate with the recommendation that it do not pass.

Respectfully submitted.

TERRELL, for Committee.

COMMITTEE ROOM,
AUSTIN, February 3, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred Senate bill No. 163, entitled "An act to provide for the appointment of official stenographers for the district courts of the State of Texas," have carefully examined the same; and a majority of the committee instruct me to report the same back to the Senate with the accompanying amendments with the recommendation that it do not pass.

All of which is respectfully submitted.

TERRELL, for Committee.

COMMITTEE AMENDMENTS TO SENATE BILL NO. 163.

1. Strike out that part of the bill requiring defendants in criminal cases to pay for copy or make affidavit of his poverty.
2. Amend by adding "Section —. The district judge may remove the stenographer for incompetency or neglect of duty, or for other good cause."

By Senator Davis:

COMMITTEE ROOM,
AUSTIN, February 4, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Special Committee, to whom was referred Senate bill No. 100, the same being "An act to repeal the law granting pensions to Texas veterans," have carefully examined the same, and instruct us to report the same back with the recommendation that it do pass.

All of which is respectfully submitted.

WOODS,
DAVIS,

For majority Committee,

By Senator Fowler:

COMMITTEE ROOM,
AUSTIN, February 4, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Judicial Districts, to whom was referred Senate bill No. 180, entitled "An act to amend section 4 of chapter 67 of the general laws of the State of Texas, passed at the regular session of the Eighteenth Legislature," have carefully examined the same, and instruct me to report the same back with the recommendation that it do pass.

All of which is respectfully submitted.

FOWLER, Chairman.

BILLS AND RESOLUTIONS.

By Senator Garrison, by request:

"An act to amend section 1, chapter 38, of the general laws of the State of Texas, passed at the regular session of the Eighteenth Legislature."

Referred to Committee on State Affairs.

By Senator Davis:

"An act to donate all the public domain in the State of Texas to the public free school fund."

Referred to the Committee on Public Lands.

"An act confirming patents and surveys by virtue of headright, military and bounty warrants under special laws enacted after March 31, 1870, and prior to April 18, 1876."

Referred to Committee on Public Lands.

By Senator Perry:

"An act to provide for an occupation tax upon telephone companies, and to repeal all laws in conflict herewith."

Referred to Judiciary Committee No. 1.

By Senator Farrar:

"An act to amend section 13 of 'an act to redistrict the State into Judicial districts and fix the time for holding courts therein, and to provide for the

election of judges and district attorneys in said districts," etc.

Referred to Committee on Judicial Districts.

On motion of Senator Pfeuffer,

Senator Kleberg was excused till Monday next.

Senator Getzendaner moved to excuse Senator Jerdone for the day.

Senator Randolph offered to amend by excusing him from last Monday.

Accepted, and as amended, the motion was adopted.

On motion of Senator Stinson,

Senators Camp, Evans, Pope and Terrell were excused till next Monday by the following vote:

YEAS—15.

Bell,
Calhoun,
Farrar,
Fowler,
Getzendaner

Glasscock,
Harrison,
Johnson,
Jones,
Knittel,

Perry,
Pfeuffer,
Stinson,
Traylor,
Woods.

NAYS—6.

Davis,
Garrison,

Houston of Bexar,
Kilgore,

Peacock,
Randolph.

ABSENT, NOT VOTING.

Douglas,

Houston of Wheeler.

Senator Houston of Bexar, pending the ballot, raised the point of order that Senators Terrell, Camp and Evans were off on duty as a special committee, and they were excused, under the rules, for the performance of such duty.

The point of order was sustained, but the vote having been cast, was announced with the foregoing result.

By Senator Glasscock:

"An act for the relief of Gideon Purl."

Referred to Committee on Claims and Accounts.

Senator Harrison moved to suspend the regular order of business, to correct the journal with reference to postponement of consideration on Senate bill No. 59, "An act to provide for the registration of writs of attachment which have been levied," etc., on yesterday.

Lost by the following vote:

YEAS—13.

Bell,
Calhoun,
Davis,
Glasscock,
Harrison,

Houston of Bexar,
Houston of Wheeler,
Johnson,
Jones,
Stinson,
Traylor,
Woods.

NAYS—2.

Farrar,
Fowler,
Garrison,

Getzendaner,
Kilgore,
Knittel,

Peacock,
Perry,
Pfeuffer.

ABSENT, NOT VOTING.

Douglass.

The President laid before the Senate Senate bill No. 73, a bill to be entitled "An act to amend section 71 of an act entitled 'an act to establish and maintain a system of public free schools for the State of Texas, and to repeal so much of chapter 3 of title 78 of the Revised Civil Statutes of the State of Texas as refers to public free schools outside of incorporated cities and towns assuming or having assumed control of their public free schools, and all laws and parts of laws in conflict with this act,' passed by the Eighteenth Legislature at its called session," as the first special order.

Read second time.

Senator Kilgore moved to postpone action on the bill, subject to call.

Adopted by the following vote:

YEAS—14.

Davis,
Fowler,
Garrison,
Glasscock,
Harrison,

Houston of Bexar,
Houston of Wheeler,
Johnson,
Kilgore,
Knittel,
Peacock,
Randolph,
Traylor,
Woods.

NAYS—3.

Bell,
Calhoun,
Farrar,

Getzendaner,
Jones,
Perry,

Pfeuffer,
Stinson.

The President laid before the Senate as special order Senate substitute bill No. 59, "An act to provide for the registration of writs of attachment which have been levied upon land, in the office of county clerk of the county where such land is situated."

Senator Randolph offered to amend by striking out section 1.

Lost by the following vote:

YEAS—4.

Kilgore,
Peacock,

Perry,

Randolph.

NAYS—18.

Bell,
Calhoun,
Camp,
Davis,
Douglass,
Farrar,

Garrison,
Getzendaner,
Harrison,
Houston of Bexar,
Houston of Wheeler,
Johnson,

Jones,
Knittel,
Pfeuffer,
Stinson,
Traylor,
Woods.

Senator Getzendaner offered to amend section 5, line 23, by inserting after the word "lien" as follows: "Six months, and no longer."

Withdrawn, and

The substitute ordered engrossed.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
AUSTIN, February 4, 1885.

Hon. Barnett Gibbs, President of the Senate:

I am instructed by the House to report to your honorable body the passage of House bill No. 232, "An act to authorize county commissioners' courts to assume control of the streets and alleys of any city or incorporated town within their jurisdiction in which there is no de facto municipal government, and to have the same worked as public roads."

Also House concurrent resolution "Inviting the President of the Republic of Mexico to be present at the laying of the corner stone of the new Capitol of the State of Texas."

A. D. SADLER, Chief Clerk.

The President referred House bill No. 232 to the Committee on Roads and Bridges.

The President gave notice of signing Senate bill No. 115, "An act to amend section 24 of 'an act to redistrict the State into judicial districts, and fix the times for holding courts therein, and to provide for the election of judges and district attorneys in said districts at the next general election, to be held on the first Monday in November, 1884,' approved April 9, 1883."

Senator Fowler submitted the following privileged report:

COMMITTEE ROOM,
AUSTIN, February 4, 1885.

Hon. Barnett Gibbs, President of the Senate:

Your Committee on Enrolled Bills have carefully examined

and compared Senate bill No. 115, being "An act to amend section 24 of 'an act to redistrict the State into judicial districts and fix the times for holding courts therein, and to provide for the election of judges and district attorneys in said districts at the next general election, to be held on the first Monday in November, 1884,' approved April 9, 1883," and find the same correctly enrolled, and have this day, at 12:10 o'clock a. m., presented the same to the Governor for his approval.

FOWLER, Chairman.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
AUSTIN, February 4, 1885.

Hon. Barnett Gibbs, President of the Senate:

I am instructed by the House to report to your honorable body the passage of Senate bill No. 17, "An act to give orders of sale foreclosing liens upon real estate the force and effect of writs of possession."

House bill No. 278, "An act to create the Nolan land district."

A. D. SADLER, Chief Clerk House.

Referred to Committee on Public Lands.

Senator Davis moved to suspend the regular order of business and take up House bill No. 183, entitled "An act to amend article 75 of the Revised Civil Statutes of the State of Texas, as amended by an act passed at the regular session of the Eighteenth, approved April 14, A. D. 1883."

Lost, the President voting in the negative, by the following vote:

YEAS—11.

Davis,	Houston of Bexar,	Knittel,
Farrar,	Houston of Wheeler,	Peacock,
Garrison,	Jones,	Randolph.
Harrison,	Kilgore,	

NAYS—11.

Bell,	Glasscock,	Stinson,
Calhoun,	Johnson,	Traylor.
Fowler,	Perry,	Woods.
Getzendaner,	Pfeuffer,	

ABSENT, NOT VOTING.

Douglass.

The President laid before the Senate, on third reading, Senate bill No. 14, "An act to amend article 685 of the Code of Criminal Procedure."

Senator Davis moved a call of the Senate.

The motion was properly seconded.

The roll was called.

Senator Douglass was found absent without excuse.

The Sergeant-at-Arms was dispatched to bring Senator Douglass into the bar of the Senate.

House bill No. 183, "An act to amend article 75 of the Revised Civil Statutes of the State of Texas, as amended by an act passed at the regular session of the Eighteenth Legislature, approved April 14, 1883," was laid before the Senate in its regular order.

Senator Bell moved a call of the roll.

The motion was seconded by the requisite number.

The roll call was completed, and Senator Douglass was found to be absent without excuse.

On motion of Senator Houston of Bexar,

Senate bill No. 150, "An act to amend sections 9 and 10 of 'an act to provide for the classification, sale and lease of lands heretofore or hereafter surveyed and set apart for the benefit of the common school, University, the Lunatic, Blind, Deaf and Dumb, and Orphan Asylum funds,'" was taken up out of its regular order and read second time.

Senator Bell moved a call of the Senate on the pending bill.

The motion was properly seconded.

Senators Davis, Douglass and Randolph were found absent without excuse.

The Sergeant-at-Arms was dispatched to bring within the bar of the Senate the absent Senators.

Senator Houston of Bexar moved to adjourn till ten o'clock to-morrow morning.

Lost.

Senator Traylor moved to take up Senate bill No. 122, "An act to provide for the collection of taxes and the prompt settlement of same," out of its regular order.

Senator Houston of Bexar raised the point of order that a quorum was not present, and the motion was out of order.

The point of order was sustained.

House bill No. 15, "An act to amend sections 4 and 16 of an act entitled 'an act for the protection of the wool growing interests of the State of Texas,' approved April 4, 1883," was laid before the Senate in its regular order.

A roll call was ordered on the bill, and

Senators Davis, Douglass and Randolph were found absent without excuse, and

The pending business went to the table.

Senators Davis and Randolph appeared and were conducted into the bar of the Senate.

On motion of Senator Traylor Senate bill No. 122 was taken up out of its regular order and made special order for Thursday, February 5, after the first special order after morning call.

Senator Garrison moved to adjourn till 10:05 a. m. to-morrow.

Lost by the following vote:

YEAS—10.

Davis,	Kilgore,	Perry,
Farrar,	Knittel,	Pfeuffer,
Garrison,	Peacock,	Randolph.
Houston of Bexar,		

NAYS—12.

Bell,	Glasscock,	Jones,
Calhoun,	Harrison,	Stinson,
Fowler,	Houston of Wheeler,	Traylor,
Getzendaner,	Johnson,	Woods.

ABSENT, NOT VOTING.

Douglass.

House bill No. 21, "An act to amend article 677 of the Penal Code," was laid before the Senate, read the second time and passed to third reading.

On motion of Senator Jones,

Senator Douglass was excused, the Sergeant-at-Arms reporting him sick, by the following vote:

YEAS—17.

Bell,	Harrison,	Perry,
Calhoun,	Houston of Bexar,	Pfeuffer,
Farrar,	Houston of Wheeler,	Stinson,
Fowler,	Johnson,	Traylor,
Getzendaner,	Jones,	Woods.
Glasscock,	Knittel,	

NAYS—5.

Davis,	Kilgore,	Randolph.
Garrison,	Peacock,	

The President announced the Senate full, and laid, before the Senate Senate bill No. 14, "An act to amend article 685 of the Code of Criminal Procedure."

Senator Harrison offered the following amendment:

Strike out all after the word "trial," in line 7.

(Senator Randolph in the chair.)

Senator Stinson moved the previous question on amendment and bill.

Motion seconded and withdrawn.

Senator Calhoun moved the previous question on pending bill, Senate bill No. 14.

The motion was seconded, and

The Senate refused to order the main question by the following vote:

YEAS—10.

Bell,	Johnson,	Pfeuffer,
Calhoun,	Knittel,	Stinson,
Fowler,	Perry,	Traylor,
Getzendaner,		

NAYS—12.

Davis,	Harrison,	Kilgore,
Farrar,	Houston of Bexar,	Peacock,
Garrison,	Houston of Wheeler,	Randolph,
Glasscock,	Jones,	Woods.

(The President in the chair.)

Senator Fowler moved the previous question on the amendments and the bill.

Motion seconded, and

The main question ordered by the following vote:

YEAS—18.

Bell,	Glasscock,	Knittel,
Calhoun,	Harrison,	Perry,
Farrar,	Houston of Bexar,	Pfeuffer,
Fowler,	Johnson,	Stinson,
Garrison,	Jones,	Traylor,
Getzendaner,	Kilgore,	Woods.

NAYS—4.

Davis,	Peacock,	Randolph.
Houston of Wheeler,		

The amendment of Senator Harrison was lost by the following vote:

YEAS—10.

Davis,	Houston of Bexar,	Kilgore,
Douglass,	Houston of Wheeler,	Peacock,
Garrison,	Jones,	Randolph.
Harrison,		

NAYS—13.

Bell,	Glasscock,	Pfeuffer,
Calhoun,	Johnson,	Stinson,
Farrar,	Knittel,	Traylor,
Fowler,	Perry,	Woods.
Getzendaner,		

Senator Peacock offered the following amendment:

Amend the bill by striking out all after the word "jury," in line 9.

Lost by the following vote:

YEAS—10.

Davis,	Houston of Bexar,	Kilgore,
Douglass,	Houston of Wheeler,	Peacock,
Harrison,	Jones,	Randolph.
Harrison,		

NAYS—13.

Bell,	Glasscock,	Pfeuffer,
Calhoun,	Johnson,	Stinson,
Farrar,	Knittel,	Traylor,
Fowler,	Perry,	Woods.
Getzendaner,		

The bill passed by the following vote:

YEAS—12.

Bell,	Getzendaner,	Perry,
Calhoun,	Glasscock,	Pfeuffer,
Farrar,	Johnson,	Stinson,
Fowler,	Knittel,	Traylor.

NAYS—11.

Davis,	Houston of Bexar,	Peacock,
Douglass,	Houston of Wheeler,	Randolph,
Garrison,	Jones,	Woods.
Harrison,	Kilgore,	

Senator Pfeuffer moved to reconsider the vote just cast, and to lay that motion on the table,

Adopted, and

The reconsideration was tabled by the following vote:

YEAS—12.

Bell,	Getzendaner,	Perry,
Calhoun,	Glasscock,	Pfeuffer,
Farrar,	Johnson,	Stinson,
Fowler,	Knittel,	Traylor.

NAYS—11.

Davis,	Houston of Bexar,	Peacock,
Douglass,	Houston of Wheeler,	Randolph,
Garrison,	Jones,	Woods.
Harrison,	Kilgore,	

The President gave notice of the resignation of Byron Drew and the appointment of Monroe Drew as Postmaster.

On motion of Senator Fowler,

The Senate adjourned till ten o'clock to-morrow morning.

TWENTY-FIRST DAY.

SENATE CHAMBER,
AUSTIN, February 5, 1885. }

The Senate met pursuant to adjournment.

Lieutenant-Governor Gibbs in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Randolph,

The reading of the journal of yesterday was dispensed with.

Senator Peacock desired to have the journal corrected to show that Judiciary Committee No. 1 reported Senate bill No. 9 back with the recommendation that it do *not* pass; that the Committee on State Affairs amended joint resolution No. 3, "as soon as practicable," and not "possible;" that the Committee on State Affairs reported on Senate bill No. 147, and not Senate bill No. 140; that on Senator Stinson's motion Senators Camp, Evans, Pope and Terrell were excused till Monday next, and not merely excused; that the message from the House reported the passage by that body of House bill No. 278, and not Senate bill No. 278.

Senator Traylor wanted the journal corrected to show that after the Senate had been declared with a quorum present, he had Senate bill No. 123, "An act to provide for the collection of taxes, and the